

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

DERRICK B. JACKSON,	:	
	:	
Petitioner	:	
	:	
vs.	:	
	:	
UNITED STATES MARSHAL'S	:	NO. 5:09-CV-44 (HL)
SERVICE,	:	
	:	
Respondent	:	<u>ORDER</u>

Petitioner **DERRICK BERNARD JACKSON** is a federal pretrial detainee who is awaiting trial in this Court on charges of conspiracy to defraud the Government and false claims against the Government (Criminal Action Number 5:08-cr-41 (CAR)). He has submitted to the Court a "Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241," in which petitioner alleges that the federal indictment against him should be dismissed.

If petitioner wishes to challenge his federal indictment, he must do so in his criminal case, not in a separate civil action.¹ Accordingly, petitioner's habeas petition is **DISMISSED**.

SO ORDERED, this 4th day of February, 2009.

s/ **Hugh Lawson**
HUGH LAWSON
UNITED STATES DISTRICT JUDGE

cr

¹ Because petitioner is represented by counsel, his attorney should handle this process, not petitioner. *Cross v. United States*, 893 F.2d 1287, 1291-92 (11th Cir.1990) (an individual does not have a right to hybrid representation); *Mitchell v. Senkowski*, 489 F.Supp.2d 147, 148-49 (N.D.N.Y. 2006) (denying *pro se* civil rights plaintiff's F.R.Civ.P. 60(b) motion, following adoption of R & R, because plaintiff was still represented by counsel and court did not permit hybrid representation).